

AGENDA

BOARD OF MAYOR AND ALDERMEN

April 4, 2006

7:30 PM

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.

CONSENT AGENDA

3. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Pole Petitions – Approve under the supervision of the Department of Highways

- A. PSNH Pole Petition #11-1103 located on Somerville Street; and PSNH Pole Petition #11-1105 located on Bodwell Road.

Informational – to be Received and Filed

- B. Communication from the Baines Family expressing their gratitude to the Board for their recent expression of sympathy for the recent passing of Shirley Brulotte.
- C. Communication from Paul Borek, Economic Development Director, submitting a draft summary report of the status of various economic development projects.

- D.** Communication from Susan Strickler, Director of the Currier Museum of Art, advising the Board of the construction schedule beginning in late June 2006.
- E.** Communication from Gerald Fleury, Executive Director, Manchester Employees Contributory Retirement System advising of increases in the City's percentage of salaries paid for the period beginning July 1, 2006, and further advising that the City's current outstanding amount due is \$1.4 million.
- F.** Manchester Health Department Monthly Report Summary, March 2006.
- G.** Minutes of the Mayor's Utility Coordinating Committee meeting held on March 15, 2006.
- H.** Minutes of the MTA Commission meeting held on March 1, 2006 and the Financial and Ridership Reports for the month of February 2006.
- I.** Communication from the NH Division of Historical Resources advising that Stark Park will soon be considered for nomination to the National Register of Historic Places.
- J.** Communication from the NH Department of Transportation advising of the acceptance of a construction contract with All Ways Wrecking of Bridgewater, NH to demolish 8 residential structures on Trolley Way and 4 residential structures along U.S. Route 3

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

K. Appropriating Resolutions:

"A Resolution appropriating to the Manchester Airport Authority the sum of \$52,321,042 from Special Airport Revenue Funds for Fiscal Year 2007."

"A Resolution appropriating to the Parking Fund the sum of \$6,603,825 from Parking for the Fiscal Year 2007."

“A Resolution appropriating the sum of \$2,968,193 from Recreation User Charges to the Recreation Division for Fiscal Year 2007.”

“A Resolution appropriating to the Manchester School District the sum of \$143,000,000 for the Fiscal Year 2007.”

“A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,537,900 from School Food and Nutrition Services Revenues for Fiscal Year 2007.”

“A Resolution appropriating the sum of \$16,664,386 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2007.”

“A Resolution appropriating to the Manchester Transit Authority the sum of \$1,100,000 for the Fiscal Year 2007.”

“A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2007.”

“Continuation of the Central Business Service District.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2007 and held in the Civic Center Fund, for the payment of the City’s Obligations in Said Fiscal Year Under the Financing Agreement.”

“Raising Monies and Making Appropriations for the Fiscal Year 2007.”

“Approving the Community Improvement Program for 2007, Raising and Appropriating Monies Therefore, and Authorizing Implementation of Said Program.”

L. Resolutions:

“Amending the FY2003 and 2006 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eighty Thousand Dollars (\$80,000.00) for the 2006 CIP 713206 Street Reconstruction – S. Willow Street Project.”

“Authorizing the Finance Officer to effect a transfer of Eighty Thousand Dollars (\$80,000) for the 2006 CIP 713206 Street Reconstruction – S. Willow Street Project.”

“Authorizing the Finance Officer to effect a transfer of Six Thousand and Four Dollars (\$6,004) from Contingency to Motorized Equipment – Non Departmental Expense.”

REPORTS OF COMMITTEES

**COMMITTEE ON ACCOUNTS, ENROLLMENT
AND REVENUE ADMINISTRATION**

- M.** Advising that it has accepted the City’s Monthly Financial Statements (unaudited) for the eight months ended February 28, 2006 for FY2006. (Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Aldermen Pinard, Smith DeVries and Long voted yea; Alderman Thibault was absent.)

- N.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
 - b) open invoice report over 90 days by fund;
 - c) open invoice report all invoices for interdepartmental billings only;
 - d) open invoice report all invoices due from the School Department only;
 - e) listing of invoices submitted to City Solicitor for legal determination; and
 - f) account receivable summary
- (Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Aldermen Pinard, Smith DeVries and Long voted yea; Alderman Thibault was absent.)

- O.** Advising that it has accepted the draft report regarding various economic development projects.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Aldermen Pinard, Smith DeVries and Long voted yea; Alderman Thibault was absent.)
- P.** Recommending that the 2nd quarter FY2006 write-off list for the accounts receivable module be approved.
(Aldermen Pinard, Smith DeVries and Long voted yea; Alderman Thibault was absent.)

COMMITTEE ON BILLS ON SECOND READING

- Q.** Recommending that an Ordinance:
“Amending Sections 33.024, 33.025 & 33.026 (Building and Facilities Maintenance Coordinator) of the Code of Ordinances of the City of Manchester.”
ought to pass as amended.
(Aldermen Lopez, Garrity, Pinard voted yea; Aldermen Duval and Gatsas were absent.)
- R.** Recommending that an Ordinance:
“Amending Section 70.55 Residential Permit Parking, of the Code of Ordinances of the City of Manchester by amending Section (D)(2) (b) Residential Parking Permit Zone #2, by adding Amherst Street and eliminating references to zoning boundaries.”
ought to pass as amended.
(Aldermen Lopez, Garrity, Pinard voted yea; Aldermen Duval and Gatsas were absent.)

- S. Recommending that an Ordinance:
“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”
ought to pass.
(Aldermen Lopez, Garrity, Pinard voted yea; Aldermen Duval and Gatsas were absent.)

COMMITTEE ON COMMUNITY IMPROVEMENT

- T. Recommending that an additional \$30,000 be transferred from the 2003 South Willow Fire Station Reroofing and Masonry Repairs Project to the 713206 Street Reconstruction – S. Willow Street project to accommodate improvements for pedestrian safety at the intersection of South Willow Street and South Maple Street.

The Committee notes that the previous request of \$30,000 in South Willow Street Area Improvements fund is to be concurrently withdrawn from the Planning Board. For such purpose budget authorizations and resolutions have been submitted to cover the total cost of the project anticipated at \$80,000.

(Unanimous vote)

- U. Recommending that a request of the Police Department to replace a 1998 vehicle in need of a new engine and transmission with a Ford Ranger with a rear locking cover and slider to be utilized for booting of vehicles be approved in the amount of \$19,554.

The Committee notes that \$13,550 is available in the MER account and recommends the Board transfer \$6,004 from contingency to the MER account to cover the balance of funds required for this purchase and for such purpose a contingency transfer resolution has been submitted.

COMMITTEE ON LANDS AND BUILDINGS

- V. Recommending that a Revocable License Agreement (enclosed herein) between the City of Manchester and the Disabled American Veterans for a portion of the former Portsmouth Branch rail line which abuts 399 Silver Street be approved.
(Aldermen Smith, Forest, Roy and Long voted yea; Alderman Thibault was absent.)
- W. Recommending that a Revocable License Agreement (enclosed herein) between the City of Manchester and Gerald P. Cloutier, d/b/a JC's Auto Sales for a portion of the former Portsmouth Branch rail line which abuts his property at the corner of Silver, Somerville and Maple Streets be approved.
(Aldermen Smith, Forest, Roy and Long voted yea; Alderman Thibault was absent.)
- X. Recommending that the Parks, Recreation and Cemetery Department be authorized to proceed with the acquisition of Bass Island property located on Second Street. The Committee notes that funding for the acquisition will consist of \$100,000 from SEPP (Supplemental Environmental Protection Program) and \$100,000 from a reimbursement from the NH Department of Transportation and that no funding from the city will be required.
- The Committee additionally notes that it is not intended that the City absorb any costs relating to rehabilitation of the former Blacksmith Shop located on this property.
(Aldermen Smith, Roy and Long voted yea; Alderman Forest voted nay; Alderman Thibault was absent.)
- Y. Recommending that the Board of Mayor and Aldermen find Water Work's property located on Karatzas Avenue (Map 551, Lot 13) surplus to city needs and that 10 acres of said property be disposed of through sale to Anagnost Companies and Manchester Housing & Redevelopment Authority at a price of \$1,359,375. plus the cost of subdivision and any other costs relating to transfer of said property, and subject to conditions set forth in the previously executed purchase and sales agreement as enclosed

herein. The Committee notes that such sale shall be subject to the review and approval of the City Solicitor. The Committee further recommends that the remaining 6 acres of this parcel be held aside for a one year period of time during which time the School District may purchase said 6 acres at a price of \$815,625.

The Committee notes that it finds cause to dispose of the property in such manner for the purpose of building workforce housing and accommodating School District needs. The Committee additionally notes that the sales price has been determined by outside appraisal which has been deemed acceptable to the Board of Assessors. The Tax Collector has indicated no interest in the property as it is not a tax deeded parcel.

The Committee recommends that in the event the School District does not purchase the property within the one year period of time, the 6 acre parcel is to be sold to Anagnost Companies, Inc. and the Manchester Housing and Redevelopment Authority for the same price aforementioned.

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

Z. Advising that it has approved Ordinance:

“Amending Section 70.78 Basic Penalty to provide a specific penalty for parking in a driveway and for parking in front of a fire hydrant.”

providing for increased fines, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

AA. Recommending that a request from Michael Egan of B5ONE for the use of Arms Park for a Volkswagen and Audi Car Show event on Sunday, May 21, 2006 be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.
(Unanimous vote)

- AB.** Recommending that 25 anti-graffiti signs be repainted and given to the Parks and Recreation Department for distribution in parks throughout the City. The Committee also requests that the Director of Parks and Recreation report back to the Committee in the future on the effectiveness of said signs.
(Unanimous vote)
- AC.** Advising that they have approved a request from the New Hampshire Fisher Cats to bag nineteen (19) meters on South Commercial Street from 9 AM until 2 PM on their educational days at the ballpark (April 18, May 4, May 18, July 5, August 9 and August 23) to allow buses from various schools, groups and organizations to park.
(Unanimous vote)
- AD.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.
(Unanimous vote)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

4. Nominations to be presented by Mayor Guinta, if available.
5. Aldermanic nomination of Joseph Deselle to succeed himself as a member of the Manchester Transit Authority Commission, term to expire May 2011 submitted by Alderman Forest.
If the Board so desires, a motion is in order to close nominations.
6. A motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
7. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

8. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
9. State legislative updated by Mayor Guinta, if available.
10. Communication from Thomas Bowen, Manchester Water Works Director, seeking authorization to enter into a Use and Occupancy Agreement with the NH Department of Transportation allowing for the installation of a water main within a “limited access” right-of-way.
If the Board so desires, a motion is in order to approve the request, subject to the review and approval of the City Solicitor.
11. Communication from Barbara Vigneault, Director of the Senior Services Department, requesting \$6,000 be held in contingency in the event such funds are required by the department at year-end to cover an anticipated shortfall in the electrical line item for March through June.
Ladies and Gentlemen, what is your pleasure?
12. Resolutions: **(A motion is in order to read by titles only.)**
 - “Amending the FY2003 and 2006 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eighty Thousand Dollars (\$80,000.00) for the 2006 CIP 713206 Street Reconstruction – S. Willow Street Project.”
 - “Authorizing the Finance Officer to effect a transfer of Eighty Thousand Dollars (\$80,000) for the 2006 CIP 713206 Street Reconstruction – S. Willow Street Project.”
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If the Board so desires, a motion is in order that the Resolutions pass and be enrolled.

TABLED ITEM

A motion is in order to remove the following item from the table for discussion.

- 13.** Report of the Committee on Public Safety and Traffic recommending that the following question:

“Are you in favor of requiring that all drivers in the State of New Hampshire carry motor vehicle liability insurance.”

be forward to the voters as a non-binding referendum question at the November 7, 2006 General Election.

(Unanimous vote)

(Tabled 03/03/2006 pending further discussion with the State of NH Insurance Department. Enclosed is a copy of a communication from the NH Department of Safety advising the Insurance Department is the proper agency to address this matter.)

14. NEW BUSINESS

- a) Communications
- b) Aldermen

- 15.** If there is no further business, a motion is in order to adjourn.